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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,311	04/14/2000	Jouni Pyotsia	PM 268185	9122
909	7590	08/03/2004	EXAMINER	
PILLSBURY WINTHROP, LLP			BARNES, CRYSTAL J	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

2121

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/550,311	PYOTSIA ET AL.	
	Examiner	Art Unit	
	Crystal J. Barnes	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4 and 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4, 6-8, 11, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) 9, 10, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Final Office Action in response to Appeal Brief received on 04 May 2004. Claims 2-4 and 6-15 remain pending in this application.

Response to Arguments

2. In view of the Appeal Brief filed on 04 May 2004, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

4. Claims 2, 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 6,139,177 to Venkatraman et al. ('177 Venkatraman et al.).

As per claim 2, the Tapperson et al. reference discloses a control system for controlling, configuring or monitoring field devices in an industrial process, said control system being connected to a plurality of field devices and comprising at least one mobile terminal (see figure 2 and column 6 lines 31-36, "handheld control unit 110") arranged to communicate with the control system (see figure 2 and column 7 lines 48-55, "DCS to DCS") over a cellular communication system (see column 7 lines 48-55, "wireless Fieldbus networks" and column 7 lines 12-15, "any wireless communication method ... radio") in order to selectively remotely control, configure or monitor (see column 7 lines 48-55, "access") the field devices ("field device"); and an interactive user interface (see column 7 lines 28-31, "handheld unit 110, terminal 104") associated with the control system ("DCS 56, 58"), said user interface ("handheld unit 110, terminal 104") utilizing configuration, control

and management data maintained in at least one database of the control system ("DCS 56, 58") and being accessible by the mobile terminal ("handheld unit 110") through a dedicated data connection established over the cellular communication system (see column 7 lines 22-26, "Field module 82"), in order to selectively control, configure or monitor the field devices (see column 7 lines 22-26 and 48-55, "field devices") connected to the control system ("DCS 56, 58"), said interactive user interface ("handheld unit 110, terminal 104") being configured to modify content of the interactive user interface ("handheld unit 110, terminal 104") in response to requests or selections made by the mobile terminal ("handheld unit 110") and based on the configuration, control and management data retrieved from said at least one database of the control system ("DCS 56, 58"), and to create control or configuration commands to the control system ("DCS 56, 58") in response to selections or inputs made by the mobile terminal user ("maintenance person") in the interactive user interface ("handheld unit 110, terminal 104").

The Tapperson et al. reference does not expressly disclose an interactive user interface associated with the control system.

The '177 Venkatraman et al. reference discloses

(see figure 1 and column 3 lines 20-30, "... user to access and control the device 10 using an external browser ... control device-specific functions of the device 10 ...")

(see column 4 lines 1-17, "... device home page 18 to requesting HTTP clients via the communication path 22.")

(see column 4 lines 18-31, "The device 10 also represents a variety of measurement instruments ...")

(see column 4 lines 32-42, "The communication path 22 represents any communication means ... The communication path 22 may be realized by a wide variety of communication mechanisms ... direct Internet connection to the world wide web.")

(see figure 2 and column 4 lines 43-51, "The web browser 40 accesses and controls the device 10 via the network 30 ... using HTTP protocols.")

(see column 4 lines 62-67, "The web browser 40 includes a display 42 for generating ... graphical user interface objects. The web browser 40 includes a selection device 44 that enables a user to select enter information ...")

(see column 5 lines 11-15, "The web browser 40 may also be embodied in a variety of other devices ... telephone systems ... low cost web browser devices ...")

(see column 5 lines 16-30, "The network 30 may be implemented with a variety of communication mechanisms ... radio frequency communication links ... world wide web communication between the web browser 40 and the device 10.")

(see column 5 lines 36-45, "... device home page 18 of the device 10 using a web browser ...")

(see column 5 lines 56-62, "... device home page 18 from the memory in response to the HTTP command from the web browser 40 ...")

(see column 6 lines 53-64, "... selecting the hyperlink 66 using the web browser 40.")

(see column 8 lines 43-52, "In response to the submit button 176, the web browser 40 ... HTTP protocol.")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the handheld unit taught by the Tapperson et al. reference with the web access functionality taught by the '177 Venkatraman et al. reference.

One of ordinary skill in the art would have been motivated to include the functionality of the web browser into the handheld unit to enable device access and control via a variety of communication mechanisms including the world wide web portion of the Internet.

As per claim 3, the '177 Venkatraman et al. reference discloses said control system controls (see figure 1 and column 3 lines 20-30, "web core 14") or configures (see column 3 lines 31-38, "device configuration 19") the field devices ("device 10") according to the commands (see column 3 lines 1-10, "HTTP commands") from the inactive user interface ("web browser 40").

As per claim 15, the rejection of claim 1 is hereby incorporated and further claim 15 contains limitations recited in claim 1; therefore claim 15 is rejected under the same rationale as claim 1.

5. Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 6,139,177 to Venkatraman et al. ('177 Venkatraman et al.) as applied to claims 2, 3 and 15 above, and further in view of USPN 6,460,060 B1 to Maddalozzo, Jr. et al.

As per claim 11, Tapperson et al. reference discloses the control system for controlling, configuring, or monitoring field devices in an industrial process said control system being connected to a plurality of field devices and comprising: at least one mobile terminal ("handheld unit") arranged to communicate with the control system over a cellular communication system ("network") in order to selectively remotely control, configure or monitor the field devices ("field devices"); a World Wide Web (WWW) server ("web server") associated with the control system, said WWW server ("web server") utilizing configuration, control and management data maintained in at least one database of the control system for providing at least one interactive WWW page ("web page") which is accessible through a TCP/IP network and a data connection between the mobile terminal and an access server connected to the TCP/IP network ("network"); and a browser ("web browser") in the mobile terminal ("handheld unit") for interacting with the interactive WWW page ("web page") through said data connection, access server and the TCP/IP network, in order to selectively control, configure or monitor the field devices ("field devices") connected to the control system, wherein the WWW server ("web server") comprises a search

function which, in response to an identity of a field device sent from the mobile terminal, searches the WWW page of the respective field device.

The modified teachings of both the Tapperson et al. and '177 Venkatraman et al. references do not expressly disclose a search function which, in response to an identity of a field device sent from the mobile terminal, searches the WWW page of the respective field device.

The Maddalozzo, Jr. et al. reference discloses

(see column 4 lines 10-16, "... web browser search client 202...")

(see column 4 lines 18-30, "The URL ... World Wide Web 204 ...")

(see column 4 lines 45-60, "... web browser to automatically access and search remote web pages ...")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further modify the web browser handheld unit taught by both the Tapperson et al. and '177 Venkatraman et al. references to illustrate a web browser having search capabilities.

One of ordinary skill in the art would have been motivated to illustrate a web browser having search capabilities to provide a method for automatic keyword searching on the Internet or in a cache of web pages stored on a data processing system.

As per claim 6, the '177 Venkatraman et al. reference discloses said WWW server (see figure 2 and column 4 lines 43-48, "web server 50") is configured to modify the content of the interactive WWW pages (see column 3 lines 1-4, "home page 18, web pages 28, 29") in response to requests or selections (see column 4 lines 64-67, "selection device 44") made by the mobile terminal (see column 5 lines 11-15, "telephone systems") and based on the configuration, control and management data of said at least one database of the control system, and to create control or configuration commands (see column 3 lines 1-4, "HTTP commands") to the control system in response to selections or inputs ("selection device 44") made by the mobile terminal user in the interactive WWW pages ("home page 18, web pages 28, 29").

6. Claims 4, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 5,956,487 to Venkatraman et al. ('487 Venkatraman et al.)

As per claim 4, the Tapperson et al. reference discloses a control system for controlling, configuring or monitoring field devices in an industrial process, said control system being connected to a plurality of field

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devices and comprising at least one mobile terminal (see figure 2 and column 6 lines 31-36, "handheld control unit 110") arranged to communicate with the control system (see figure 2 and column 7 lines 48-55, "DCS to DCS") over a cellular communication system (see column 7 lines 48-55, "wireless Fieldbus networks" and column 7 lines 12-15, "any wireless communication method ... radio") in order to selectively remotely control, configure or monitor (see column 7 lines 48-55, "access") the field devices ("field device"); and an interactive user interface (see column 7 lines 28-31, "handheld unit 110, terminal 104") associated with the control system ("DCS 56, 58"), said user interface ("handheld unit 110, terminal 104") utilizing configuration, control and management data maintained in at least one database of the control system ("DCS 56, 58") and being accessible by the mobile terminal ("handheld unit 110") through a dedicated data connection established over the cellular communication system ("wireless Fieldbus networks"), in order to selectively control, configure or monitor the field devices ("access the field devices") connected to the control system ("DCS 56, 58"), wherein the identity of the field device is a tag number of the field device.

The Tapperson et al. reference does not expressly disclose an interactive user interface associated with the control system and the identity of the field device is a tag number of the field device.

The '487 Venkatraman et al. reference discloses

(see column 3 lines 19-21, "The HTTP commands may be used by web clients to read information from the device 10 ...")

(see column 3 lines 28-33, "... the web server 18 that defines a set of user interface functions for the device 10.")

(see column 3 lines 35-41, "The web page 18 may also define control buttons ...")

(see column 3 lines 56-59, "The device 10 also represents a variety of measurement instruments ...")

(see columns 3-4 lines 62-4, "... any communication means ... a wide variety of communication mechanisms ... direct Internet connection to the world wide web.")

(see column 4 lines 13-16, "... the processor 200 stores the web page 18 in the memory 210 which may also be used to store information associated with normal device-specific functions.")

(see column 5 lines 3-8, "... cellular transmitter/receiver circuitry enables a web browser to access control and status information ...")

(see figure 2 and column 5 lines 29-35, "... web browser 40 to access the user interface functions of the device 10.")

(see column 5 lines 36-42, "... graphical user interface objects ... selection device 44 ...")

(see column 5 lines 60-64, "... telephone systems ... low cost web browser devices ...")

(see column 5 lines 65-67, "... URL corresponding to the device 10 into the web browser 40.")

(see column 7 lines 1-4, "... a location ...")

(see figure 4 and column 7 lines 30-35, "... may access the device web pages of the devices 10 and 50-52 ...")

(see column 7 lines 36-50, "... a URL corresponding to the desired one of the devices 10 and 50-52 ... particular web browser application ... desired URL ... targeted device ...")

(see figure 5 and column 7 lines 52-56, "... direct Internet connection to the world wide web 100.")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the handheld unit taught by the Tapperson et al. reference with the web browser taught by the '487 Venkatraman et al. reference.

One of ordinary skill in the art would have been motivated to include the functionality of the web browser into the handheld unit to enable device access and control via a variety of communication mechanisms including the world wide web portion of the Internet by identifying devices with URLs that may include tag numbers of field devices as identification.

As per claim 15, the rejection of claim 4 is hereby incorporated and further claim 15 contains limitations recited in claim 4; therefore claim 15 is rejected under the same rationale as claim 4.

As per claim 14, the rejection of claim 4 is hereby incorporated and further claim 14 contains limitations recited in claim 4; therefore claim 14 is rejected under the same rationale as claim 4.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 5,956,487 to

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Venkatraman et al. ('487 Venkatraman et al.) as applied to claims 4, 14 and 15 above, and further in view of USPN 6,560,640 B2 to Smethers.

As per claim 8, the '487 Venkatraman et al. reference discloses a Wireless Application Protocol (WAP) (see column 7 lines 37-42, "web browser application") is used between the access server (see column 3 lines 8-10, "network interface 12") and the mobile terminal (see column 5 lines 60-64, "web browser 40"), and a WWW protocol (see column 5 lines 60-64, "HTTP") is used between the access server ("network interface") and the WWW server (see column 3 lines 13-19, "web server").

The Smethers reference discloses

(see column 6 lines 39-49, "The communication protocol ... Wireless Access Protocol (WAP) ...")

(see column 7 lines 17-20, "... wireless client device 100 ...")

(see column 10 lines 59-65, "... first communication protocol ... second communication protocol ...")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further modify the web browser handheld unit taught by both the Tapperson et al. and '487 Venkatraman et

al. references with the wireless client device taught by the Smethers reference to illustrate various communication protocols.

One of ordinary skill in the art would have been motivated to illustrate various communication protocols to improve transmission efficiency and/or reduce amounts of memory resources.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 5,956,487 to Venkatraman et al. ('487 Venkatraman et al.) as applied to claims 4, 14 and 15 above, and further in view of USPN 6,460,060 B1 to Maddalozzo, Jr. et al.

As per claim 11, Tapperson et al. reference discloses the control system for controlling, configuring, or monitoring field devices in an industrial process said control system being connected to a plurality of field devices and comprising: at least one mobile terminal ("handheld unit") arranged to communicate with the control system over a cellular communication system ("network") in order to selectively remotely control, configure or monitor the field devices ("field devices"); a World Wide Web (WWW) server ("web server") associated with the control system, said WWW server ("web server") utilizing configuration, control and management

data maintained in at least one database of the control system for providing at least one interactive WWW page ("web page") which is accessible through a TCP/IP network and a data connection between the mobile terminal and an access server connected to the TCP/IP network ("network"); and a browser ("web browser") in the mobile terminal ("handheld unit") for interacting with the interactive WWW page ("web page") through said data connection, access server and the TCP/IP network, in order to selectively control, configure or monitor the field devices ("field devices") connected to the control system, wherein the WWW server ("web server") comprises a search function which, in response to an identity of a field device sent from the mobile terminal, searches the WWW page of the respective field device.

The modified teachings of both the Tapperson et al. and '487 Venkatraman et al. references do not expressly disclose a search function which, in response to an identity of a field device sent from the mobile terminal, searches the WWW page of the respective field device.

The Maddalozzo, Jr. et al. reference discloses

(see column 4 lines 10-16, "... web browser search client 202...")

(see column 4 lines 18-30, "The URL ... World Wide Web 204 ...")

(see column 4 lines 45-60, "... web browser to automatically access and search remote web pages ...")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further modify the web browser handheld unit taught by both the Tapperson et al. and '177 Venkatraman et al. references to illustrate a web browser having search capabilities.

One of ordinary skill in the art would have been motivated to illustrate a web browser having search capabilities to provide a method for automatic keyword searching on the Internet or in a cache of web pages stored on a data processing system.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,793,963 to Tapperson et al. in view of USPN 5,956,487 to Venkatraman et al. ('487 Venkatraman et al.) as applied to claims 4, 14 and 15 above, and further in view of USPN 6,460,060 B1 to Maddalozzo, Jr. et al. and further in view of USPN 6,560,640 B2 to Smethers.

As per claim 7, the '487 Venkatraman et al. reference discloses a Wireless Application Protocol (WAP) (see column 7 lines 37-42, "web browser application") is used between the access server (see column 3 lines

8-10, "network interface 12") and the mobile terminal (see column 5 lines 60-64, "web browser 40"), and a WWW protocol (see column 5 lines 60-64, "HTTP") is used between the access server ("network interface") and the WWW server (see column 3 lines 13-19, "web server").

The Smethers reference discloses

(see column 6 lines 39-49, "The communication protocol ... Wireless Access Protocol (WAP) ...")

(see column 7 lines 17-20, "... wireless client device 100 ...")

(see column 10 lines 59-65, "... first communication protocol ... second communication protocol ...")

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to further modify the web browser handheld unit with searching capabilities taught by the Tapperson et al., '487 Venkatraman et al., and Maddalozzo, Jr. et al. references with the wireless client device taught by the Smethers reference to illustrate various communication protocols.

One of ordinary skill in the art would have been motivated to illustrate various communication protocols to improve transmission efficiency and/or reduce amounts of memory resources.

Allowable Subject Matter

10. Claims 9, 10, 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter:

As per claim 9, the prior art of record taken alone or in combination fail to teach the WWW server is arranged to assist the selection of a desired field device by providing a hierarchic set of WWW pages representing logical, functional or location architecture of the plant in a tree configuration, the user of the mobile terminal being able to proceed from a higher level to a lower hierarchic level by selection made on the higher level.

As per claim 13, the prior art of record taken alone or in combination fail to teach the search function is responsive to a truncated or ambiguous identity sent by the mobile terminal for displaying a list of field devices to which the truncated or ambiguous identity matches.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 703.306.5448. The examiner can normally be reached on Monday-Friday alternate Mondays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703.308.3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cjb
27 July 2004


RAMESH PATEL 7/28/04
PRIMARY EXAMINER
For Anthony Knight